

FORTY-FIRST DAY

(Thursday, March 23, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratcliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Willis

Absent—Excused

Herring	Weinert
Hudson	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Our Father, like a child coming to its parent with a broken toy, we come to Thee with broken fragments of our failures. As Thou dost change the night to morning, we pray that Thou wilt change our broken plans, promises, and broken hearts, into things beautiful and blessed. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Herring was granted leave of absence for today on account of important business on motion of Senator Krueger.

Senator Weinert was granted leave of absence for today on account of illness in the family on motion of Senator Krueger.

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Krueger.

Reports of Standing Committees

Senator Aikin submitted the following report:

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 411, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

AIKIN, Chairman.

Senator Hardeman submitted the following reports:

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 179, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that Committee Substitute adopted in lieu thereof do pass, and be printed.

HARDEMAN, Chairman.

C. S. S. B. No. 179 was read the first time.

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 336, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 366, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 7, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 107, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that Committee Substitute adopted in lieu thereof do pass and be printed.

HARDEMAN, Chairman.

C. S. S. B. No. 107 was read the first time.

Senator Krueger submitted the following report:

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 424, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Senator Lane submitted the following reports:

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 122, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 238, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 224, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 360, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 210, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Senator Aikin submitted the following report:

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was

referred S. B. No. 330, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

AIKIN, Chairman.

Senator Colson submitted the following reports:

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. C. R. No. 33, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. C. R. No. 20, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Senator Kazen submitted the following report:

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred S. B. No. 413, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

KAZEN, Chairman.

Senator Aikin submitted the following report:

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 378, have had the

same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Resolution 244

Senator Moffett offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. James B. Temple and Mrs. Robert Last, prominent Wichita Falls Club Women and Civic Leaders; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate, and the privilege of the floor for the day.

The resolution was read and was adopted.

Senator Moffett by unanimous consent presented the guests to the Members of the Senate.

Senate Resolution 245

Senator Fuller offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Reverend Theodore Kyritsis of St. George Greek Orthodox Church in Port Arthur and Luke Loukas of Port Arthur, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Fuller by unanimous consent presented the guests to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House has passed the following:

S. B. 217, Setting up health standards for Grade A. milk for pasteurization produced outside the State of Texas and imported to points within and requiring that such persons authorizing the importation of such milk certify that the milk is produced in accordance with standards for the production of milk in Texas; providing for inspection of foreign milk producers; providing for permit fees; providing for penalties; and declaring an emergency.

(With amendment.)

H. C. R. No. 58, Directing the Board of Control to fly the flag of Greece beneath the Texas flag on March 23, 1961.

H. C. R. No. 62, Relative to setting aside certain space in the Capitol for use of the House and the Senate.

The House refused to concur in Senate amendments to House Bill No. 33 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

House has appointed the following Conference Committee: Blaine, Chairman, Bell, Hughes of Dallas, McGregor of El Paso, and Spears.

The House has adopted the Conference Committee Report on Senate Bill No. 136 by a vote of 145 ayes, 0 noes.

S. B. No. 145, A bill to be entitled "An Act relating to independent examinations of state credit unions, regulation of their bonds, authorization of membership officers, authorization of loan officers and authorization of dividends and credits for state credit unions; amending Articles 2465, 2470 2471 and 2482 of Vernon's Texas Civil Statutes, as amended, so as to authorize the Banking Commissioner to cause credit unions to have an independent examination by any certified public accountant or licensed public accountant, as well as one or more credit union examiners; so as to require that every person appointed or elected by any credit union to any position requiring the receipt, payment of money or other personal property owned by a credit union, or in its custody or control as collateral or otherwise, give bond by a corporate surety

company and to provide for the Banking Commissioner to regulate such bonding; to provide for appointment of a membership officer who may be authorized by the board of a state credit union to approve application for membership under such conditions as the board may prescribe, with a certain limit; to authorize the credit committee of a state credit union to appoint one or more loan officers and delegate to him or them the power to approve loans up to a certain limit, a record of whose action shall be furnished to the credit committee within seven days of action thereupon; and to provide that dividend credit for a month may be accrued on shares which are or become fully paid up during the first ten days of that month; providing for severability; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 247

Senator Kazen offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate the Hon. J. C. Martin, Jr., Mayor of the City of Laredo; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas, that he be extended the official welcome of the Senate and be granted privileges of the floor for today.

The resolution was read and was adopted.

Senator Kazen by unanimous consent presented Mr. Martin to the Members of the Senate.

Senate Concurrent Resolution 37

Senator Baker offered the following resolution:

S. C. R. No. 37, Authorizing San Jacinto Park Commissioners to close park and appropriation of funds to repair.

Whereas, At April 21, 1836, a date following successive military tragedies for Texas colonists at San Antonio, San Patricio, Aqua Dulce, Goliad, and Refugio, the Texans were

victorious in a military battle at San Jacinto, and

Whereas, Few military battles have had greater historical significance than the Battle of San Jacinto, and

Whereas, Twenty-five years ago the 540 foot San Jacinto Battle Field Monument was erected upon this coastal plain battle field to commemorate its great historical significance, and

Whereas, After this long exposure to the elements caulking has deteriorated and moisture now freely penetrates construction seams causing an expansion of metal ties which results in loosening and flaking of large pieces of rock, and

Whereas, This creates a hazardous and perilous condition to any of the thousands of visitors to this historical edifice, and

Whereas, It can be forecast that if visitors, many of whom are school children, are permitted to be exposed to rock falling upon the monument's terrace, a grievous injury or death will occur, now, therefore, be it

Resolved, That the Senate of the State of Texas, the House of Representatives concurring, direct the San Jacinto State Park Commission to close this historical site to visitors until such time repairs and maintenance to the monument shaft are effected, and further, be it

Resolved, That the Committee on Appropriations of the 57th Legislature appropriate funds to implement the repair and maintenance necessary to preserve the San Jacinto Battle Monument.

The resolution was read and was referred to the Committee on State Affairs.

Senate Joint Resolution 25 on First Reading

Senator Schwartz moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin
Baker

Calhoun
Colson

Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Kazen	Rogers
Krueger	Schwartz
Lane	Secrest
Martin	Smith
Moffett	Willis

Absent—Excused

Herring	Weinert
Hudson	

The following resolution was then introduced, read first time and referred to the committee indicated:

By Senators Schwartz and Moffett:

S. J. R. No. 25, Proposing an Amendment to Section 49-b, Article III of the Constitution of Texas permitting the resale of forfeited lands of the Veterans' Land Fund to be sold to such purchasers in such quantities, and on such terms, and at such prices and rates of interest, and under such rules and regulations as are now provided by law or as may hereafter be provided by law, providing for an election and the issuance of a proclamation therefor.

To the Committee on Constitutional Amendments.

Senate Bill 415 on First Reading

The following local bill was introduced, read first time and referred to the committee indicated:

By Senators Secrest and Moore:

S. B. No. 415, A bill to be entitled "An Act amending Chapter 273, Acts of the 55th Legislature, Regular Session, 1957, pertaining to the Elm Creek Watershed Authority of Bell, Milam, Falls and McLennan Counties; finding a benefit to all land and other property within the Authority; providing Authority was and is created to serve a public use and benefit; defining the boundaries of the Authority; finding a closure and related matters; exempting property of the Authority and bonds of Authority from taxation; providing for bonds of Authority to be eligible investments; providing for no election for confirmation and no hearings for exclu-

sions; adopting the ad valorem plan of taxation for the Authority; providing for amount and kind of bonds for directors; provisions for failure to call director elections and other matters relating to the Board of Directors; validating the Authority, the Board of Directors and all acts of the Board of Directors except in connection with bond and maintenance tax elections and exclusion proceedings or defining of boundaries; authorizing the Board of Directors to use maintenance tax funds for easements and rights-of-way and for bond purposes or bond sinking funds and providing determination of such by the Board of Directors is final except for fraud, palpable error or gross abuse of discretion; providing it shall not be necessary for plans and specifications, engineering reports, profiles, maps and other data to be filed in the office of the Authority before a bond election is held and it shall not be necessary to secure approval of the State Board of Water Engineers prior to the issuance of bonds by the Authority; providing that bonds issued by the Authority shall be incontestable after approval by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing that certain provisions of Article 7880-77b, Vernon's Texas Civil Statutes, as amended, shall not apply to this Authority; providing for a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

Senate Bill 416 on First Reading

Senator Reagan moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hazlewood
Baker	Kazen
Calhoun	Krueger
Colson	Lane
Creighton	Martin
Crump	Moffett
Dies	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Patman

Ratliff	Schwartz
Reagan	Secrest
Roberts	Smith
Rogers	Willis

Absent—Excused

Herring	Weinert
Hudson	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Reagan:

S. B. No. 416, A bill to be entitled "An Act making a specific appropriation out of the State Highway Fund in the State Treasury, not otherwise appropriated, to pay a judgment obtained by B. F. Clark against the State of Texas pursuant to Senate Concurrent Resolution No. 5, Fifty-fifth Legislature, Regular Session, authorizing B. F. Clark to sue the State of Texas for the recovery of damages resulting from the north approach to the high level bridge across the Corpus Christi Ship Channel being constructed and maintained upon a dedicated public park opposite to the Grande Courts then owned by E. F. Clark; and, providing further that the Comptroller of the State of Texas issue a warrant on the State Treasury in favor of B. F. Clark in the sum of said judgment, and to issue a warrant on the State Treasury in favor of Ben A. Ligon, District Clerk of Nueces County, in payment of all costs; and declaring an emergency."

To the Committee on Finance.

Bills and Resolution Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolution:

H. C. R. No. 60, Authorizing the Enrolling Clerk of the House to make certain corrections in H. B. No. 59.

H. B. No. 188, Relating to an additional tax for common school districts in certain counties; amending Sections 1 and 2 of Chapter 468, Acts of the Fifty-sixth Legislature, Regular Session, 1959; and declaring an emergency.

H. B. No. 558, Making it unlawful, except under the provisions of this Act, for any person to hunt, take,

kill, or possess any game bird or game animal in Frio County at any time; to take, kill, or trap any fur-bearing animal in said County; to take or attempt to take any fresh-water fish in said County by any means or method; prescribing the legislative policies with respect to the wildlife resources of said County; conferring upon the Game and Fish Commission power and authority, etc.; and declaring an emergency.

S. B. No. 42, A bill to be entitled "An Act to amend Chapter 290 of the 41st Legislature, 1929, codified as Article 2815h in Vernon's Texas Civil Statutes, as amended, authorizing any Junior College District which was originally created with the same boundaries as an Independent School District, the boundaries of which Independent School District have been subsequently extended and enlarged to annex such territory added to such Independent School District for Junior College purposes only; providing a severability clause; and declaring an emergency."

S. B. No. 121, A bill to be entitled "An Act amending Article 57 of the Revised Civil Statutes of Texas, 1925, as amended, to provide for an additional member of the State Seed and Plant Board; providing for severability; and declaring an emergency."

S. B. No. 216, A bill to be entitled "An Act validating McLennan and Hill Counties Tehuacana Creek Water Control and Improvement District Number One; etc.; and declaring an emergency."

House Bill 424 Ordered Not Printed

On motion of Senator Crump and by unanimous consent H. B. No. 424 was ordered not printed.

Presentation of Guests

Senator Aikin by unanimous consent presented Mr. Ralph Vanderpool and Mr. Henry Ayres to the Members of the Senate.

House Concurrent Resolution 58 on Second Reading

On motion of Senator Fuller and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

H. C. R. No. 58, Directing Board of Control to fly the flag of Greece beneath the Texas flag over the State Capitol on March 23, 1961.

The resolution was read and was adopted.

Senate Concurrent Resolution 38

Senator Willis offered the following resolution:

S. C. R. No. 38, Extending invitation to the Honorable Ralph Yarborough to address a Joint Session of the Legislature on April 6, 1961.

Whereas, The Senior United States Senator from Texas will visit in Texas during the Easter holidays; and

Whereas, This outstanding Texan has made many contributions to our great state as a Citizen, Judge, War Veteran and Statesman; and

Whereas, It is the desire of the Senate of Texas, the House of Representatives concurring, that the Senior United States Senator from Texas be invited to address a joint session of the Fifty-seventh Legislature at — o'clock A.M. on April 6, 1961; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that Honorable Ralph Yarborough, Senior United States Senator from Texas, be and he is hereby invited to address a joint session of the 57th Legislature in the House of Representatives at — o'clock A.M. on April 6, 1961, and that an official copy of this Resolution of invitation be forwarded to Senator Yarborough by the Secretary of the Senate.

WILLIS
SECRET
KRUEGER
HARDEMAN
CRUMP
MOORE
GONZALES
SMITH
KAZEN
FULLER
REAGAN
BAKER
AIKIN
COLSON
MOFFETT
ROBERTS

The resolution was read.

On motion of Senator Willis and by unanimous consent the resolution was

considered immediately and was adopted.

Senate Bill 378 Ordered Not Printed

On motion of Senator Patman and by unanimous consent S. B. No. 378 was ordered not printed.

**Conference Committee on
House Bill 33**

Senator Owen called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 33 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following Conference Committee on the part of the Senate: Senators Owen, Baker, Willis, Patman and Parkhouse.

**Conference Committee Report
on Senate Bill 136**

Senator Schwartz submitted the following Conference Committee Report on S. B. No. 136:

Austin, Texas,
March 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Hon. James A. Turman, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 136, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

SCHWARTZ
ROGERS
BAKER
DIES

On the part of the Senate.

LA VALLE
STEWART
WALKER
CALDWELL

On the part of the House.

S. B. No. 136:

**A BILL
TO BE ENTITLED**

"An Act to fix and make certain the amount of compensation to be paid

from County funds to the District Judges of the 10th, 56th and 122nd District Courts of Galveston County by the Commissioners Court of Galveston County in addition to the compensation paid by the State of Texas; prohibiting, however, the payment of any salary by Galveston County in excess of the compensation provided by this Act; providing the time and method of payment; authorizing amendment of the budget; providing that if any portion of this Act is unconstitutional, it shall not affect the remainder thereof; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. In addition to the compensation paid by the State of Texas to District Judges, the Commissioners Court of Galveston County shall pay to the District Judges of the 10th Judicial District, the 56th Judicial District and the 122nd Judicial Districts, respectively, for services rendered to Galveston County and for performing administrative duties, the sum of Forty-eight Hundred Dollars (\$4,800.00) annually to each of the Judges of said District Courts, to be paid in equal monthly installments out of the General Fund or Officers Salary Fund of Galveston County, provided that no District Judge shall receive from any County funds, as supplemental pay to his salary from the State, a sum in excess of Forty-eight Hundred Dollars (\$4,800.00) per annum. The Commissioners Court of Galveston County shall make proper budget provisions for the payment thereof.

Sec. 2. If any portion of this Act is held unconstitutional by a court of competent jurisdiction, the remaining portions shall, nevertheless, be valid the same as if the invalid portion had not been made a part hereof.

Sec. 3. The fact that District Judges in the more densely populated counties have higher living expenses and the fact that they are not now adequately compensated for administrative services performed by them in such counties create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Willis

Absent—Excused

Herring	Weinert
Hudson	

Senate Bill 184 with House Amendments

Senator Krueger called S. B. No. 184 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Krueger moved that the Senate concur in the House amendments.

The motion prevailed.

Record of Votes

Senators Martin and Hardeman asked to be recorded as voting "Nay" on the motion to concur in House amendments to S. B. No. 184.

House Bill 54 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 54, Amending Section 10-B of Chapter 425, Acts of the Regular Session of the 55th Legislature 1957 (codified as Vernon's Annotated Civil Statutes, Article 8280-9, Section 10-B); amending Section 10-D, Acts of the Regular Session of the 55th Legislature, 1957, as amended by Section 2 of Chapter 164, Acts of the

Regular Session of the 56th Legislature, 1959 (codified as Vernon's Annotated Civil Statutes, Article 8280-9, Section 10-D); giving the Texas Water Development Board greater latitude with respect to transfer of moneys between statutory Funds; etc.; and declaring an emergency.

The bill was read second time and passed to third reading.

House Bill 54 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 54 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Willis

Absent—Excused

Herring	Weinert
Hudson	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Kazen
Baker	Krueger
Calhoun	Lane
Colson	Martin
Creighton	Moffett
Crump	Moore
Dies	Owen
Fuller	Parkhouse
Gonzalez	Patman
Hardeman	Ratliff
Hazlewood	Reagan

Roberts	Secrest
Rogers	Smith
Schwartz	Willis

Absent—Excused

Herring	Weinert
Hudson	

House Bill 265 on Second Reading

On motion of Senator Moffett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 265, Amending Article 5728 of the Revised Civil Statutes of Texas (1925), providing that the Commissioner of Agriculture shall fix and collect fees for testing all weights, scales, beams and any kind of instruments or mechanical devices for weighing or measuring; providing the method of attaching certain test certificates or seals; providing for maximum fees and the manner and time of collection; providing for payment of all moneys collected into the State Treasury and placed by the State Treasurer in the Special Department of Agriculture Fund for enforcement and administration purposes; etc.; and declaring an emergency

The bill was read second time and passed to third reading.

House Bill 265 on Third Reading

Senator Moffett moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 265 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Willis

Absent—Excused

Herring	Weinert
Hudson	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Resolution 250

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Lakeview Baptist School of San Antonio—the Seventh Grade, accompanied by their teacher, A. E. Holt; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the students, their teacher and sponsor to the Members of the Senate.

Presentation of Guests

Senator Hardeman by unanimous consent presented the Members of the League of Women Voters that were present in the galleries today as guests of the Members of the Senate.

Senate Bill 217 with House Amendments

Senator Hazlewood called S. B. No. 217 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Hazlewood moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill: Senators Hazlewood, Owen, Reagan, Hardeman and Parkhouse.

Senate Bills 4 and 16 Laid on the Table

On motion of Senator Parkhouse and by unanimous consent S. B. Nos. 4 and 16 were Laid on the Table.

House Bill 351 on Second Reading

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 351, A bill to be entitled "An Act to reorganize the Forty-second and the Ninetieth Judicial Districts of the State of Texas by removing Shackelford County from the Forty-second Judicial District and adding Shackelford County to the Ninetieth Judicial District and making certain other provisions relating thereto; and declaring an emergency,"

The bill was read second time and passed to third reading.

House Bill 351 on Third Reading

Senator Creighton moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 351 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Fuller
Baker	Gonzalez
Calhoun	Hardeman
Colson	Hazlewood
Creighton	Kazen
Crump	Krueger
Dies	Lane

Martin	Reagan
Moffett	Roberts
Moore	Rogers
Owen	Schwartz
Parkhouse	Secrest
Patman	Smith
Ratliff	Willis

Absent—Excused

Herring	Weinert
Hudson	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Special Notice on Senate Bill 276

Senator Patman gave notice that he would on Monday move to suspend the rules to consider S. B. No. 276.

Special Notice on Senate Joint Resolution 10

Senator Hardeman gave notice that he would on Monday move to suspend the rules to consider S. J. R. No. 10.

Special Notice on Senate Joint Resolution 8

Senator Willis gave notice that he would on Monday move to suspend the rules to consider S. J. R. No. 8.

Special Notice on Senate Joint Resolution 9

Senator Willis gave notice that he would on Monday move to suspend the rules to consider S. J. R. No. 9.

Congratulatory Resolutions

S. R. No. 243. By Senator Hardeman: Extending Congratulations to Lieutenant General Ernest O. Thompson on birthday.

S. R. No. 246. By Senator Hardeman: Extending Congratulations to people of Greece for contributions to freedom and culture.

S. R. No. 248. By Senator Willis: Extending welcome to Mrs. Jack Wackerbarth, et al., of League of Women Voters of Fort Worth.

S. R. No. 249. By Senator Owen:

Extending welcome to Mrs. Otis Baker, Jr., et al.

Memorial Resolution

S. R. No. 242—By Senator Aikin: Memorial resolution for Haskell C. Hay.

Adjournment

On motion of Senator Kazen the Senate at 11:34 o'clock a.m. adjourned until 11:00 o'clock a.m. on Monday, March 27, 1961.

FORTY-SECOND DAY

(Monday, March 27, 1961)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Absent—Excused

Hudson

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"O Lord, teach us how to pray. We blunder into Thy presence asking for things we want, not things we need. May the unspoken prayers of our hearts be acceptable in Thy sight, and make us mindful it is the prayer of a righteous man that availeth much. We pray in Thy name. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 23, 1961, was dispensed with and the Journal was approved.

Leave of Absence

Senator Hudson was granted leave

of absence for today on account of important business on motion of Senator Owen.

Senate Resolution 254

Senator Hardeman offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Dr. Madelyn Womack of Washington, D. C.; and

Whereas, She is the sister-in-law of our distinguished colleague, Bruce A. Reagan, the sister of Mrs. Bruce A. Reagan; and

Whereas, Dr. Womack, a distinguished biochemist, has made an outstanding record in the field of biochemistry; and

Whereas, She was formerly with the University of Illinois, and is now with the United States Government doing research work; and

Whereas, Dr. Womack has made numerous contributions in the field of biochemistry and has brought credit to the State of Texas through her work; and

Whereas, It is the desire of the Senate of the State of Texas to recognize and pay tribute to Dr. Madelyn Womack for her outstanding work and contributions in her field; now, therefore, be it

Resolved, That the Senate officially welcome Dr. Womack, extend to her the privileges of the floor today and that we commend her for her work; and, be it further

Resolved, That a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be sent to Dr. Womack in recognition of her visit to Austin and the Capitol.

The resolution was read and was adopted.

Senator Hardeman by unanimous consent presented Dr. Womack to the Members of the Senate.

Senate Resolution 255

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Civics Class of the Caldwell High School, accompanied by their teacher, E. E. Darby; and

Whereas, These students of today